

Rhett Petcher (VSB No. 65826)  
SEYFARTH SHAW LLP  
975 F Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 463-2400  
rpetcher@seyfarth.com

Of Counsel:  
Kimbell Gourley  
Trout Jones Gledhill Fuhrman, P.A.  
225 N. 9<sup>th</sup> St., Ste 820  
P.O. Box 197  
Boise, ID 83701  
Telephone: (208) 331-1170  
Facsimile: (208) 331-1529  
kgourley@idalaw.com

*Attorneys for Engineered Structures, Inc. ("ESI")*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re CIRCUIT CITY STORES, INC., et al.,  Debtors.
Engineered Structures, Inc. ("ESI")  Plaintiff  v.  Circuit City Stores, Inc.  Defendant

Chapter 11  
Case No. 08-35653 (KRH)  
(Jointly Administered)

**ORDER**

THIS MATTER, having come on before the court on January 16, 2009, at 10:00 a.m. upon  
Creditor Engineered Structures, Inc.'s Motion to Terminate the Automatic Stay [Docket 1070]  
and with Engineered Structures, Inc. ("ESI") having appeared by and through its counsel of

record, Seyfarth Shaw, LLP, with the Debtor, Circuit City Stores, Inc., having appeared by and through its counsel of record, with Circuit City having objected to termination of the automatic stay as to Store #3878 located at 835, East Birch Street, Brea, California APN 319-011-67 and Store #4313 located at 1020 West Imperial Highway, La Habra, Orange County, California, APN 019-171-19 and with the parties having reached an agreement with respect to the motion:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. ESI's motion to terminate the automatic stay as to Store #3878 in Brea, California and Store #4313 in La Habra, California is hereby granted and ESI is authorized to prosecute a lien foreclosure action in the state of California with respect to the properties described above; and
2. ESI shall not seek to execute upon or attach any other property of the bankruptcy estate without further court order; and
3. The ten (10) day stay provided for by Federal Rule Bankruptcy Procedure 4001(a)(3) is waived.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

WE ASK FOR THIS

/s/ Rhett Petcher  
Rhett Petcher (VSB No. 65826)  
SEYFARTH SHAW LLP  
975 F Street, N.W.  
Washington, D.C. 20004  
Telephone: (202) 463-2400  
rpetcher@seyfarth.com

Of Counsel:  
Kimbell Gourley  
Trout Jones Gledhill Fuhrman, P.A.  
225 N. 9<sup>th</sup> St., Ste 820  
P.O. Box 197  
Boise, ID 83701  
Telephone: (208) 331-1170  
Facsimile: (208) 331-1529  
kgouley@idalaw.com

*Attorneys for Engineered Structures, Inc. ("ESI")*

/s/ Dion W. Hayes  
Dion W. Hayes (VSB No. 34304)  
Douglas M. Foley (VSB No. 34364)  
MCGUIREWOODS LLP  
One James Center  
901 E. Cary Street  
Richmond, Virginia 23219  
(804) 775-1000

- and -

Gregg M. Galardi, Esq.  
Ian S. Fredericks, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP  
One Rodney Square  
PO Box 636  
Wilmington, Delaware 19899-0636  
(302) 651-3000

- and -

Chris L. Dickerson, Esq.  
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP  
333 West Wacker Drive  
Chicago, Illinois 60606  
(312) 407-0700

*Attorney to the Debtors  
and Debtors in Possession*

**Local Rule 9022-1(C) Certification**

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

By: /s/ Rhett Petcher

Rhett Petcher (VSB No. 65826)

SEYFARTH SHAW LLP

975 F Street, N.W.

Washington, D.C. 20004

Telephone: (202) 463-2400

Facsimile: (202) 828-5393

rpetcher@seyfarth.com

*Counsel for Engineered Structures, Inc.*

**PARTIES TO RECEIVE COPIES:**

Linda K. Myers, Esq.  
Kirkland & Ellis LLP  
200 East Randolph Drive  
Chicago, Illinois 60601

Bruce Matson, Esq.  
LeClair Ryan  
Riverfront Plaza, East Tower  
951 East Byrd Street, Eighth Floor  
Richmond, Virginia 23219

Gregg Galardi, Esq.  
Chris L. Dickerson, Esq.  
Skadden Arps Slate Meagher & Flom, LLP  
One Rodney Square  
Wilmington, Delaware 19889

Lynn L. Tavenner, Esq.  
Paula S. Beran, Esq.  
Tavenner & Beran, PLC  
20 North Eighth Street, Second Floor  
Richmond, Virginia 23219

Dion W. Hayes, Esq.  
Douglas M. Foley, Esq.  
McGuire Woods LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219

David S. Berman, Esq.  
Rierner & Braunstein LLP  
Three Center Plaza  
Boston, Massachusetts 02108

Robert B. Van Arsdale, Esq.  
Office of the US Trustee  
701 East Broad Street, Suite 4304  
Richmond, Virginia 23219

David S. Berman, Esq.  
Rierner & Braunstein LLP  
Three Center Plaza  
Boston, Massachusetts 02108

Rhett Petcher  
SEYFARTH SHAW LLP  
975 F Street, N.W.  
Washington, D.C. 20004